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Applicant : Junghard et al.
Serial No. : TBA
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Examiner : TBA
Group Art Unit : TBA

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INFORMATION DISCLOSURE STATEMENT

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Sir:

Applicants submit this communication in compliance with 37 C.F.R. §§1.56, 1.97 and 1.98. Favorable consideration of the documents cited on the attached Form PTO/SB/08A is respectfully requested.

The referenced application is the US national stage application of international application no. PCT/SE02/00642, filed March 28, 2002 (the "PCT application"). The documents identified on the attached Form PTO/SB/08A include documents cited in the specification and/or the International Search Report ("ISR") which issued in connection with the PCT application. A

copy of each of the published PCT application, i.e., International Publication Number WO 03/082282, and the ISR is being submitted with this communication. The ISR is attached to and part of the published PCT application.

Copies of Cited U.S. Patent Documents are Not Provided

As announced in the Official Gazette of August 5, 2003, the requirement under 37 CFR 1.98(a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003 and for all international applications that have entered the national stage under 35 USC 371 after June 30, 2003 has been waived.

Accordingly, copies of any U.S. patents and/or published patent applications cited on the attached Form PTO/SB/08A are not provided with this Information Disclosure Statement.

Time of Transmittal of Information Disclosure Statement

This Information Disclosure Statement is being filed under 37 C.F.R. §1.97(b)(2) concurrently with a new national stage application under §371 and, therefore, a fee is not required in connection with the filing of this statement. However, if any fee is required, the Assistant Commissioner is authorized to charge such fee to Deposit Account No. 23-1703.

Dated: Sept. 22, 2004

Respectfully submitted,

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| Substitute for form 1449/PTO | | | | Completed 10/508755 | |
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary) | | | | Application Number | TBA |
| | | | | Filing Date | September 22, 2004 |
| | | | | First Named Inventor | Junghard et al. |
| | | | | Art Unit | TBA |
| | | | | Examiner Name | TBA |
| Sheet | 1 | of | 1 | Attorney Docket Number | 1103326-0780 |

U.S. PATENT DOCUMENTS

| Examiner Initials [*] | Cite No. ¹ | Document Number Number-Kind Code ² (if known) | Publication Date MM-DD-YYYY | Name of Patentee Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages/Figures Appear |
|--------------------------------|-----------------------|---|--------------------------------|---|--|
| /S.R.G./ | | US-4,786,505 | 11-22-1988 | Lovgren et al. | |

FOREIGN PATENT DOCUMENTS

| Examiner Initials [*] | Cite No. ¹ | Foreign Patent Document Country Code ³ -Number ⁴ -Kind Code ⁵ (if known) | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear | T ⁶ |
|--------------------------------|-----------------------|--|--------------------------------|--|---|----------------|
| /S.R.G./ | | EP-0 247 983-B1 | 12-02-1987 | Lövgren et al. | | |
| /S.R.G./ | | EP-0 723 476-B1 | 07-31-1996 | Reneau Dufour | | |
| /S.R.G./ | | WO-94/27988 | 12-08-1994 | Lindberg et al. | | |
| /S.R.G./ | | WO-96/02535-A1 | 02-01-1996 | Larsson et al. | | |
| /S.R.G./ | | WO-96/01623 | 01-25-1996 | Bergstrand et al. | | |

NON PATENT LITERATURE DOCUMENTS

| Examiner Initials* | Cite No. | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T | | |
|--------------------|----------|---|-----------------|------------|--|
| /S.R.G./ | | TALLEY et al., "Quality of Life in Patients With Endoscopy-Negative Heartburn: Reliability and Sensitivity of Disease-Specific Instruments"; The American Journal of Gastroenterology, vol. 96, no. 7, 2001; pages 1998-2004. | | | |
| /S.R.G./ | | MATHIAS et al., "Health-Related Quality-of-Life and Quality-Days Incrementally Gained in Symptomatic Nonerosive GERD Patients Treated with Lansoprazole or Ranitidine"; Digestive Diseases and Sciences, vol. 46, no. 11, Nov. 2001; pages 2416-2423. | | | |
| /S.R.G./ | | SONTAG et al., "Lansoprazole Heals Erosive Reflux Esophagitis Resistant to Histamine H2-Receptor Antagonist Therapy"; The American Journal of Gastroenterology, vol. 92, no. 3, 1997; pages 429-437. | | | |
| /S.R.G./ | | MURPHY et al., "Sleep and the Respiratory Complications of Gastroesophageal Reflux"; Practical Gastroenterology, vol. 17, 1993; pages 16-29. | | | |
| /S.R.G./ | | CARR et al., "Severe Non-obstructive Sleep Disturbance as an Initial Presentation of Gastroesophageal Reflux Disease"; International Journal of Pediatric Otorhinolaryngology, vol. 51, 1999; pages 115-120. | | | |
| /S.R.G./ | | HENRY et al., "Omeprazole: Effects on Oxidative Drug Metabolism in the Rat"; Clinical and Experimental Pharmacology & Physiology, vol. 13, 1986; pages 377-381. | | | |
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| | | | | | |
| Examiner Signature | | /Shelley R. Graham/ | Date Considered | 12/18/2007 | |

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORM TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.